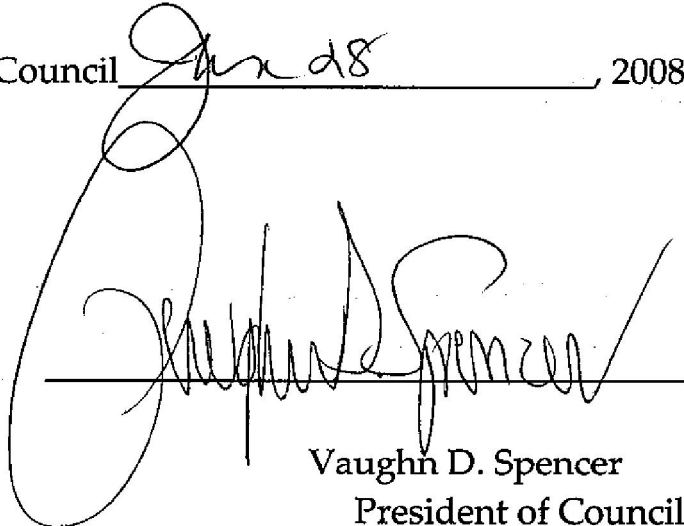


RESOLUTION NO. 9-2008-A

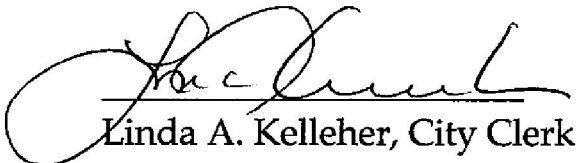
THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES
AS FOLLOWS:

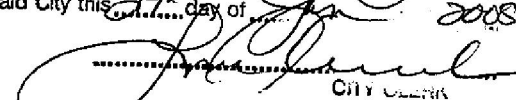
Approving the appeal on the Certificate of Appropriateness,
as attached in the findings of fact, for the demolition of 713,
715 and 717 Laurel Street, owner/applicant Berks County
Community Development Office.

Adopted by Council June 28, 2008


Vaughn D. Spencer
President of Council

Attest:


Linda A. Kelleher, City Clerk

I, LINDA A. KELLEHER, City Clerk of the City
of Reading, Pa., do hereby certify that the fore-
going is a true and correct copy of the original
Resolution passed by the Council of the City of
Reading, on the 28th day of June,
A. D. 20 08. Witness my hand and the seal of
said City this 29th day of June, 2008.

City Clerk

Appeal of Historic Architectural Review Board Certificate of Appropriateness

IN THE MATTER OF	§	BEFORE THE
	§	
BERKS COUNTY	§	CITY OF READING
	§	
OFFICE OF COMMUNITY	§	CITY COUNCIL
DEVELOPMENT	§	
713, 715, 717 LAUREL STREET	§	

FINDINGS OF FACT, CONCLUSIONS OF LAW, ORDER, AND AGREED RESOLUTION

On Monday, January 14, 2008 the City of Reading City Council (Council) met to hear testimony on the appeal of the decision made by the Historic Architectural Review Board (HARB) on the Certificate of Appropriateness for the demolition of properties located at 713, 715 and 717 Laurel Street, located in the Prince Historic District and owned by the Berks County Office of Community Development (Respondent). At their December 18, 2007 meeting, HARB, having only six Board members present experienced a tie vote on this application; therefore the application for demolition was denied. By majority vote the Council determined that there was credible evidence to overturn the decision of HARB and approve the appeal which allows for the demolition of 713, 715 and 717 Laurel Street.

Findings of Fact

1. The Historic Architectural Review Board (HARB) is an under the City of Reading Codified Ordinances Chapter 4 Part 1 – Historic Districts. The HARB is a board of 7 duly qualified members.
2. The respondent appeared at the December 18, 2007 HARB meeting and requested that the Board issue a Certificate of Appropriateness to allow the demolition of 713, 715 and 717 Laurel Street. The respondent's request was denied by HARB, as three members voted to allow the demolition as they believed the properties were too deteriorated to allow rehabilitation and the three members believed that the Secretary of the Interior's Guidelines did not allow for the demolition of these properties. Therefore a tie vote was issued and the application for demolition was denied.

3. The respondent requested an appeal hearing before City Council the week of December 24, 2007 and was provided with the hearing date during that same telephone call by the City Clerk.
4. City Council took testimony from the respondent and the Historic Preservation Specialist at the hearing held on Monday, January 14, 2008
5. The respondent expressed the belief that the properties are too deteriorated to make rehabilitation an economically viable solution. He explained that two other deteriorated properties in this block have already been demolished. He explained that United Corrstacks has expressed interested in using these vacated lots for off-street parking.
6. Mr. Art McLaughlin, mill manager of United Corrstacks, stated that the plant identified the deteriorated condition of these properties in FY 2000 due to the severe blight they place on this area. He explained that the deteriorated condition of these properties has negatively affected United Corrstacks business and is a detriment to the health and well being of the neighborhood.
7. Historic Preservation Specialist Amy Johnson stated that although the City objected these properties were included in the Prince District by the State as they have first floors that are sunken or below ground level. She further explained the historic rating system, whereby a larger numerical rating signifies that the building is historically prominent. These properties are rated as follows: 713 Laurel has a rating of 8 and 715 and 717 Laurel have a rating of 72. These ratings were assigned in the mid 1970's when the state and city planning bureau assessed all city buildings. These ratings show that these buildings are not significant. For comparison, the Reading Public Library has one of the highest ratings in the City, a 178.
8. Historic Preservation Specialist Amy Johnson stated that she and Mr. Pick toured the properties. The properties were stripped of any special architectural features. The rear portion of the properties is extremely deteriorated and the front portion has been subject to extreme vandalism.
9. Peter Delinko, a resident of the 600 block of S 10th Street, offered testimony in support of the demolition. He stated that the condition of these properties presents a public health and safety threat to the community. He noted that these insecure and deteriorated properties are havens for illegal endeavors. He asked Council to support the request for demolition.
10. Exhibits 1, 2 and 3 were entered. Exhibit 1 and 3 demonstrates the condition of the property in the 1970s and current and Exhibit 2 is the minutes from the December HARB Meeting

Conclusions of Law

City Council, after considering all testimony and reviewing all Exhibits, believes the testimony and photographs offered show that the properties are beyond rehabilitation, present a health ad safety threat to this neighborhood.

Order and Agreed Resolution

The City of Reading City Council hereby approves the appeal to the Certificate of Appropriateness, overturning the decision of the Historical Architectural Review Board allowing for the demolition of 713, 715 and 717 Laurel Street by the Berks Council Office of Community Development.

Right to Appeal

If you disagree with the decision of City Council you may file an appeal with the Court of Common Pleas of Berks County within 30 days after notice of the decision has been made. Your failure to file the appeal within such 30 days shall preclude an appeal from such decision.

**CITY COUNCIL
HARB APPEAL HEARING
713-717 LAUREL ST DEMOLITION
MONDAY, JANUARY 14, 2008**

Vaughn D. Spencer, President of Council, called the HARB appeal hearing to order.

In attendance:

President of Council V. Spencer
Councilor M. Goodman-Hinnershitz, District 2
Councilor D. Sterner, District 3
Councilor M. Baez, District 5
City Solicitor C. Younger
City Clerk L. Kelleher
Historic Preservation Specialist A. Johnson

Council President Spencer announced that the purpose of the hearing is to take testimony on the appeal of the HARB decision to deny the applicant permission to demolish 713-717 Laurel St. The HARB determined that the demolition was inappropriate due to the historic preservation guidelines defined by the Secretary of the Interior. He explained that the hearing will be composed of testimony from the property owner and testimony from the Historic Preservation Specialist. He asked the Solicitor to lead the examination of the witnesses.

City Solicitor Younger asked all those planning to testify or present evidence to rise. He delivered the oath to Historic Preservation Specialist A. Johnson, County Community Development Director K. Pick, City Planner A. Miller, and Peter Delinko, and Art McLaughlin.

Findings of Fact

Presentation from Historic Preservation Specialist

Historic Preservation Specialist A. Johnson distributed photographs of 713, 715, and 717 Laurel Street showing their condition in 1978. Mr. Younger asked that this collection of photographs be marked as Exhibit 1. Ms. Johnson explained that 713 Laurel Street has an historic rating of 8 and 715 and 717 Laurel Street have an historic rating of 72. She stated that these low ratings signify that these properties are not historically significant. She explained that these properties were included in the Prince Historic

District by the State as the first floor of these buildings is below ground level.

Ms. Johnson stated that in a discussion with Codes Inspectors about the properties, she learned that the City objected to including these buildings in the Prince District.

Ms. Johnson explained that at the meeting where HARB considered this application, six Board members were present. Three of the Board members voted to approve the demolition as they believed the deterioration of the properties was too severe to allow rehabilitation. The other three Board members; however, voted to deny the application due to the guidelines set by the Secretary of the Interior.

City Solicitor Younger called Council's attention to the minutes from the HARB meeting of Tuesday, December 18, 2007 and asked that this document be recorded as Exhibit 2. Mr. Younger asked Ms. Johnson if she, as the Historic Preservation Specialist, would provide a recommendation.

Ms. Johnson stated that she personally visited these properties with County Community Development Director, Ken Pick. She stated that after this visit, it is her personal belief that the properties are beyond rehabilitation. She noted that these properties have also been stripped of any special architectural features. She explained that the properties are more severely deteriorated in the rear and the front has been subject to extreme vandalism.

Councilor Goodman-Hinnershitz inquired when these buildings were constructed. Ms. Johnson stated that they were built in the 1860's near Reading Iron. She noted that Reading Iron was built in the late 1880's. Councilor Goodman-Hinnershitz noted that the properties are unusually small.

Councilor Sterner questioned the nature of the tie vote from the HARB Board. Ms. Johnson explained that the vote was split due to Secretary of Interior guidelines and the extreme deterioration of the properties.

Ms. Johnson explained that the Centre Park Artifacts Bank personnel, if the buildings are approved for demolition, will remove any significant features such as moldings, doors, footed tubs, etc.

Testimony from Applicant

County Community Development Director Ken Pick, explained the ADD program that was approved approximately eight years ago to assist the City with removing blighted properties. He noted that four years ago the ADD program began working with Corrstacks to obtain these blighted buildings. Corrstacks wishes to demolish these buildings and use the vacated land for off-street parking. He noted the valuable service provided by the HARB Board. He expressed the belief that the economic value of the properties does not support their rehabilitation.

Art McLaughlin, manager of United Corrstacks, stated the company first became aware of these properties around 2000. He explained that these deteriorated properties have a detrimental effect on their business and the neighborhood.

Councilor Sterner asked if any of the buildings are still privately owned. Mr. Pick stated that 719 and 721 are still privately owned.

Mr. Pick explained that with Council's approval, demolition can occur in the spring and work will continue to obtain the two additional properties when they become available. Mr. McLaughlin distributed photographs of 713, 715, and 717 as they are today. These photographs were marked as Exhibit 3.

Public Comment

Pete Delinko, of 606 S. 10th Street, and a resident of the neighborhood noted the severely deteriorated condition of these properties and the detriment they present for this area. He expressed the belief that the properties pose public health and safety threats to the community.

Councilor Goodman-Hinnershitz agreed with the statements made by Mr. Delinko.

Council President Spencer explained that Council will consider the testimony and evidence obtained at the hearing and make a decision at their meeting scheduled for Monday, January 28, 2008.

As no other testimony was presented, the hearing was adjourned at 4:50 pm.

Linda Kelleher, City Clerk